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Special Appearance as Attorneys for  
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Sonoma County Sheriff's Office)  
and Sheriff's Deputy Greg Myers

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MARK AARON HAYNIE, BRENDAN  
JOHN RICHARDS, THE CALGUNS  
FOUNDATION, INC., and THE SECOND  
AMENDMENT FOUNDATION, INC.,

CASE NOS. 3:10-CV-01255 SI  
3:11-CV-02493 SI  
(Consolidated Cases)

Plaintiffs,

vs.

KAMALA HARRIS, Attorney General of  
California (in her official capacity) and  
CALIFORNIA DEPARTMENT OF  
JUSTICE, CITY OF ROHNERT PARK,  
OFFICER DEAN BECKER, and DOES 1 to  
20,

**STIPULATION TO RESCHEDULE  
CASE MANGEMENT  
CONFERENCE, ETC.; [PROPOSED]  
ORDER**

Defendants.

BRENDAN JOHN RICHARDS, THE  
CALGUNS FOUNDATION, INC., and THE  
SECOND AMENDMENT FOUNDATION,  
INC.

CASE NO. 3:11-CV-05580 SI  
(Related Case)

Plaintiffs,

vs.

KAMALA HARRIS, ATTORNEY General  
of California (in her official capacity) and  
CALIFORNIA DEPARTMENT OF  
JUSTICE, SONOMA COUNTY  
SHERIFFS' OFFICE, SHERIFF'S  
DEPUTY GREG MYERS, and DOES 1 to  
20,

**STIPULATION TO RESCHEDULE  
CASE MANGEMENT  
CONFERENCE, ETC.;[PROPOSED]  
ORDER**

Defendants.

Stipulation and [Proposed] Order

1 MAX JOSEPH PLOG-HOROWITZ, THE  
2 CALGUNS FOUNDATION, INC., and THE  
3 SECOND AMENDMENT FOUNDATION,  
INC.,

4 Plaintiffs,

5 vs.

CASE NO. 3:12-CV-0452 LB  
(Related Case)

6 KAMALA HARRIS, Attorney General of  
7 California, CALIFORNIA DEPARTMENT  
8 OF JUSTICE, COTATI POLICE  
DEPARTMENT, CITY OF COTATI,  
ANDREW LYSSAND, and DOES 1 to 20,

9 Defendants.

**STIPULATION TO RESCHEDULE  
CASE MANGEMENT  
CONFERENCE, ETC.; [PROPOSED]  
ORDER**

10  
11 This joint stipulation and request for entry of an order is entered into by all parties in the  
12 above-captioned related actions, through their respective counsel of record. The purpose of this  
13 stipulation and request for entry of order is twofold: (1) to request the Court to reschedule the  
14 jointly-set Case Management Conference from its current date of March 30, 2012, to May 25,  
15 2012; and (2) to extend the time for Defendants the Sonoma County Sheriff's Department and  
16 Sheriff's Deputy Greg Myers to file a response to the Complaint (in Case No. 3:11-CV-05580  
17 SI) through May 1, 2012. The parties to this stipulation include the following: Plaintiffs Mark  
18 Aaron Haynie, Brendan John Richards, the Calguns Foundation, Inc., The Second Amendment  
19 Foundation, Inc., and Max Joseph Plog-Horowitz (collectively, "Plaintiffs"); Defendant Kamala  
20 Harris, Attorney General, and the California Department of Justice (the "State Defendants"); the  
21 City of Rohnert Park and Office Dean Becker (collectively, the "Rohnert Park Defendants"); the  
22 Sonoma County Sheriff's Office and Sheriff's Deputy Greg Myers (collectively, the "Sonoma  
23 Defendants"); and the Cotati Police Department, City of Cotati, and Andrew Lyssand  
24 (collectively, the "Cotati Defendants").

25 **RECITALS**

26 A. Each of the above-captioned cases has been deemed related to the others, and the  
27 Court has previously ordered that the Case Management Conference on all cases be held on  
28 March 30, 2012. (See e.g., Case No. 3:11-CV-05580-SI, Dkt. No. 17, filed March 1, 2012.)

1 B. Aside from the Case Management Conference and related dates, the only other  
 2 matter currently on calendar in any of the cases is the Rohnert Park Defendants' Motion to  
 3 Dismiss (in Case No. 3:11-CV-02493-SI), set to be heard on April 20, 2012, at 9:00 a.m.

4 C. Sonoma Defendants have not yet responded to the complaint in Case No. 3:11-  
 5 CV-05580-SI, and have informed Plaintiffs that they intend to file a Motion to Dismiss the  
 6 Complaint. Before investing resources in preparing the Motion to Dismiss, counsel for the  
 7 parties have initiated settlement discussions, which they believe at this time may be fruitful. To  
 8 provide time in which to pursue settlement discussions, and to conserve the resources of the  
 9 parties and the Court, Plaintiffs have agreed to extend the time for Sonoma Defendants to  
 10 respond to the Complaint through and including May 1, 2012.

11 D. None of the Defendants have filed an answer in any of these related cases as of  
 12 the date of this stipulation. Because the pleadings have not yet settled in any of these cases, the  
 13 parties request that the Court reschedule the Case Management Conference in all of the cases,  
 14 currently set for March 30, 2012, to May 25, 2012, (or such other date as is convenient for the  
 15 Court). The rescheduling of the Case Management Conference will enable the parties to better  
 16 ascertain the parameters of these actions, anticipated pre-trial proceedings, and the proper scope  
 17 of discovery, to be able to address scheduling issues with the Court.

18 WHEREFORE, the parties to this stipulation hereby agree and request entry of a court  
 19 order as follows:

#### 20 STIPULATION

21 1. The Case Management Conference, currently scheduled to occur on March 30,  
 22 2012, is requested to be rescheduled in all of these related cases to May 25, 2012, at 2:30 p.m., or  
 23 such other date and time as is convenient for the Court. The parties shall file joint case  
 24 management conference statements in each of the cases at least one week prior to the conference.

25 2. Sonoma Defendants' time in which to file a response to the Complaint in Case  
 26 Number 3:11-CV-05580-SI is requested to be extended through and including May 1, 2012.

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3. This stipulation does not prevent or preclude the parties from seeking additional relief from this Court, to amend this stipulation and order or otherwise.

Dated: March \_\_, 2012

Dated March \_\_, 2012

/s/ Donald E.J. Kilmer, Jr.  
 Donald E.J. Kilmer, Jr.  
 Counsel for Plaintiffs  
 (Haynie, Richards, Plog-Horowitz, the  
 Calguns Foundation, Inc., and the Second  
 Amendment Foundation, Inc.)

/s/ Anne L. Keck  
 Anne L. Keck, Deputy County Counsel  
 Specially Appearing as counsel for  
 the Sonoma Defendants (the Sonoma County  
 Sheriff's Office & Sheriff's Deputy Myers)

Dated: March \_\_, 2012

Dated: March \_\_, 2012

/s/ Steven C. Mitchell  
 Steven C. Mitchell  
 Robert W. Henkels  
 Geary, Shea, O'Donnell, Grattan & Mitchell  
 Counsel for the Rohnert Park Defendants  
 (City of Rohnert Park & Officer Becker) and  
 Counsel for the Cotati Defendants  
 (Cotati Police Dept., City of Cotati &  
 Lyssand)

/s/ Ross Moody  
 Ross Moody  
 Counsel for State Defendants  
 (Attorney General Kamala Harris & California  
 Dept. of Justice)

**ORDER**

Pursuant to the foregoing stipulation of the parties, and with good cause appearing,  
IT IS HEREBY ORDERED AS FOLLOWS:

1. The Case Management Conference, currently scheduled to occur on March 30, 2012, is hereby rescheduled for all of these related cases to May 25, 2012, at 2:30 p.m., to be held in Courtroom 10, 19<sup>th</sup> Floor of the Federal Building, San Francisco Division of this Court. The parties shall file joint case management conference statements in each of the cases at least one week prior to the conference.

2. Sonoma Defendants' time in which to file a response to the Complaint in Case Number 3:11-CV-05580-SI, is hereby extended through and including May 1, 2012.

Dated: 3/20/12

  
HONORABLE SUSAN ILLSTON  
United States District Judge

**ELECTRONIC CASE FILING ATTESTATION**

I, Anne L. Keck, am the ECF User whose identification and password are being used to file this **STIPULATION TO RESCHEDULE CASE MANGEMENT CONFERENCE, ETC.; [PROPOSED] ORDER** on behalf of all parties pursuant to Civil Local Rules 7-11. In compliance with General Order No. 45(X)(B), I hereby attest that the concurrence in the filing of this document has been obtained from it signatories.

Dated: March 19, 2012

Sonoma County Counsel

By: /s/ Anne L. Keck  
Anne L. Keck  
Deputy County Counsel